The motion is TERMINATED. The requested amendments to the case management order will be discussed at the March 23, 2021 case management conference. The March 12, 2021 deadline to file motions to amend or add parties is CONTINUED pending discussion at the conference.

Alistaid E. Newbern U.S. Magistrate Judge  UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION		
METROPOLITAN NASHVILLE AIRPORT AUTHORITY,	) )	
Plaintiff,	) Case No. 3:20-cv-00809	
v.	) Judge William L. Campbell, Jr. ) Magistrate Judge Alistair E. Newbern	
COLONIAL PIPELINE COMPANY,	) Magistrate Judge Afistair E. Newbern	
Defendant.	)	

## DEFENDANT'S MOTION TO AMEND CASE MANAGEMENT ORDER

Defendant Colonial Pipeline Company ("Colonial") requests that the Court amend the Amended Initial Case Management Order in this case (Docket No. 26), and respectfully states as follows:

- 1. In light of the parties' ongoing mediation, this Court previously granted Defendant's unopposed Motion to Amend the Case Management Order to alter both parties' deadlines to file Motions to Amend or to Add Parties to March 12, 2021 (Docket No. 30).
- 2. The parties are continuing to engage in mediation discussions through the week of March 15, 2021, with an in-person mediation session scheduled for March 16, 2021, and will submit a joint status report by March 19, 2021 as ordered by the Court (Docket No. 32).
- 3. Colonial respectfully submits that some of the deadlines should be changed to allow sufficient time for the parties to continue to focus on trying to reach a resolution before any deadline in the Case Management Order runs or necessitates activities that can be avoided if a settlement is reached in the current mediation.
- 4. The current deadlines were set when an earlier trial date was contemplated (which was changed in the Court's Order setting this case for trial (Docket No. 27)), and can be modified

without adversely affecting the parties' ability to prepare for trial. The proposed modifications below also comply with Local Rule 16.01(h)(1) ("Absent court order, no dispositive motion deadline, including response and reply briefs, shall be later than ninety (90) days in advance of the target trial date.").

5. Accordingly, Colonial respectfully requests that certain deadlines in the Case Management Order be changed per the chart below:

Item	Current Deadline	<b>Proposed Deadline</b>
Serve written discovery	None	No change
Amend or add parties	3/12/21	3/31/21
Subsequent case management conference	3/23/21	No change
Complete all written discovery and depose all fact witnesses	6/1/21	7/30/21
File discovery motions	6/15/21	8/13/21
Plaintiff to identify and disclose all expert witnesses and expert reports	6/4/21	8/4/21
Defendant to identify and disclose all expert witnesses and expert reports	28 days after Plaintiff disclosure	No change
File dispositive motions	7/30	9/30/21
Complete expert depositions	28 days after Defendant disclosure	No change

- 6. This request does not affect the current trial date of February 22, 2022, set in the Court's Order dated February 5, 2021 (Docket No. 27).
- 7. After conferring with counsel for Plaintiff regarding this motion, the parties were not able to reach a consensus on the requested modifications, but the parties wish to discuss this motion and a discovery plan with the Court at the scheduled March 23, 2021 Case Management Conference.

## Respectfully submitted,

## s/ Brian M. Dobbs

L. Wearen Hughes (BPR No. 5683)
J. Andrew Goddard (BPR No. 6299)
Brian M. Dobbs (BPR No. 25855)
Bass, Berry & Sims PLC
150 3rd Ave. S., Suite 2800
Nashville, TN 37201
(615) 742-6200
whughes@bassberry.com
dgoddard@bassberry.com
bdobbs@bassberry.com

Attorneys for Colonial Pipeline Company

## **CERTIFICATE OF SERVICE**

I certify that I filed this document electronically using the Court's electronic case management system, which will send notice to:

Paul S. Davidson
Edward Callaway
Michael C. Brett
Waller Lansden Dortch & Davis LLP
511 Union Street, Suite 2700
Nashville, Tennessee 37219
paul.davidson@wallerlaw.com
ed.callaway@wallerlaw.com
mike.brett@wallerlaw.com

Attorneys for Metropolitan Nashville Airport Authority

s/ Brian M. Dobbs